

MINUTES  
Board of Directors Meeting  
December 3, 2007  
Pierre, SD

PRESENT: Jim Carlon, Steve Blair, Terry Dosch, Pam Kettering, Mary Guth, Grace Mims, Dave Johnson, Jim Kinyon, Woody Schrenk, and Joyce Vos.

The meeting was called to order at 8:30am. Staff requested that the upcoming AASCB conference and the GOAC agenda be added to the meeting's agenda.

M/S/P Johnson/Mims to move into Executive Session at 8:35am.

M/S/P Kettering/Kinyon to adjourn Executive Session and move into General Session at noon.

M/S/P Johnson/Guth to issue a stipulation to the licensee in Case 2007-01 to complete an additional four hours of CE by July 1, 2008 in the area of boundaries with children and/or families. Blair will draw-up the paperwork. Schrenk was recused during this discussion.

M/S/P Kettering/Dosch to recommend Blair send letters to the complainant and the counselor in Case 2007-05 requesting more information and substantiating documents. Johnson was recused during this discussion.

M/S/P Mims/Kinyon that the licensee in Case 2007-04 provide the Board documents (e.g. business card, business brochure, resume') that represent his counseling credentials to the public; and furthermore, that the Board reiterates the licensee can only promote his counselor training and competence as Master's level rather than doctorate level. Johnson was recused during this discussion.

Kinyon will further investigate Case 2007-06.

ES1-3. Two of the three appeals for the LPC by Exemption were granted. The third was denied but was to be offered a hearing before the Board should she disagree with the decision.

ES4. It was agreed that Staff should issue a letter asking for specific verification of the colleague's knowledge of the applicant's 10-years of counseling practice.

As a side note, Staff asked the Board how they would define the deadline for applications for LPC by Exemption? The deadline for accepting applications is December 31, 2007.

Dosch offered to take the new complaint case, 2007-07.

1. M/S/P Johnson/Kettering to approve the September 21, 2007 Minutes as corrected.

2a. The Board reviewed the exchange of correspondence with two supervisees and supervisor Ronald Flemming indicating non-compliance with the Rules. M/S/P Mims/Kinyon to request copies of their supervision Tracking Forms and inform them that email is not an approved form of supervision.

2b. The Board reviewed the exchange of correspondence with a supervisee of Duane Kavanaugh. It wasn't clear whether they were complying with the Rules so Staff was directed to write the supervisee a letter re-stating the Rules of supervision, explaining that group supervision does not comply unless her supervisor is present in the group, and supervision by someone other than her supervisor does not comply.

3. The Board reviewed and discussed the questions from Thomas Price. Staff was directed to respond with suggestions such as: consult with your attorney, HIPAA and ACA in regard to record storage; and the Board is aware of issues with child custody evaluations, the numerous resources available, but have no regulations at this time, beware of the common dangers like boundary issues, dual relationships, and practicing outside your scope of practice/expertise. Staff will forward the draft to Schrenk and Mims for assistance.

4. The Board proceeded with the contested case hearing although Jennifer Freyensee was not present. Carlon reported that Freyensee's attorney, Phillip Stiles, sent him a letter withdrawing her recently submitted (LPC-MH) application and stated that neither of them would appear before the Board. M/S/P Johnson/Mims to direct Carlon to notify Freyensee of its decision not to accept the plan of supervision she had proposed in support of her application for the LPC-MH and further indicate the reasons why the hours as proposed by Freyensee do not meet the requirements of statute or rule. The final hearing in this matter will be continued to the Board's next meeting.

5. Mims gave a verbal report on her attendance at both the AMFTRB and NBCC meetings. She was very pleased to have been able to attend both and thanked the Board for the opportunity. She reported there was a concern with the high failure rate of the MFT examination in all States not just SD. The Nurses Compact was discussed as a new way to look at portability. Eleven States had signed on already. She'll get her PPT hand-out to Staff to distribute.

She expressed that NBCC's meeting was highly impressive -- their international and national view/efforts. The exam is also a concern. There was a report on how prevalent and ingenious the cheating was, even on a computer-based exam.

She also reported that CACREP was getting closer to their new standards which included a minimum 54-hour Master's by 2011 and then going to 60-hours incrementally until 2015. And programs that want approval will need to have counselor-educators.

6. The Board reviewed the current financial statement ending October 31, 2007. Staff noted most items were in good shape but that half of the in-State Board travel budget was expensed already. She also noted that the cash balance was less than a year's expense budget, and that GOAC was still actively meeting over fund balance issues.

7. Without hesitation, the Board unanimously agreed that personal therapy/counseling does not comply with biennial CE requirements.

8. The Board visited about who was available to attend the January AASCB conference, the budget available for travel, and the travel request forms that had to be completed. Mims, Schrenk, and Guth were planning to attend. Kettering was a maybe. Anyone else was to contact Staff as soon as possible.

The GOAC meeting was taking place concurrently on the fourth floor. Staff shared a copy of their agenda and noted two items of interest: Omnibus Bill on Professional Licensing and Occupational Boards and Commissions, and Reciprocity arrangements for the various Professional Occupational and Licensing Boards and Commissions.

The Board set the next meeting for Friday, March 7, 2008.

M/S/P Johnson/Kinyon to adjourn the meeting at 3:20pm.

Respectfully submitted,

Joyce M. Vos, Exec Sec